

South Dakota Public Utilities Commission Meeting
Tuesday, June 5, 2007, at 9:30 A.M.
State Capitol Building, Room 412
Pierre, South Dakota

NOTE: If you wish to join this meeting by conference call, please contact the Commission at 605-773-3201 by 5:00 p.m. on June 4, 2007. Lines are limited and are given out on first come/first serve basis, subject to possible reassignment to accommodate persons who must appear in a proceeding. Ultimately, if you wish to participate in the Commission Meeting and a line is not available you may have to appear in person.

NOTE: To listen to the Commission Meeting live please go to the PUC's website www.puc.sd.gov and click on the LIVE button on the home page. The Commission requests that persons who will only be listening to proceedings and not actively appearing in a case listen via the webcast to free phone lines for those who have to appear. The Commission meetings are archived on the PUC's website under the Commission Actions tab and then click on the LISTEN button on the page.

NOTE: Notice is further given to persons with disabilities that this Commission meeting is being held in a physically accessible place. If you have special needs, please notify the Commission and we will make all necessary arrangements.

AGENDA OF COMMISSION MEETING

Consumer Reports

- 1. Status Report on Consumer Utility Inquiries and Complaints Received by the Commission.**
(Consumer Affairs: Deb Gregg)

Hydrocarbon Pipeline

- 1. HP07-001 In the Matter of the Application of TransCanada Keystone Pipeline, LP for a Permit under the South Dakota Energy Conversion and Transmission Facility Act to Construct the Keystone Pipeline Project. (Staff Analysts: Martin Bettmann/Bob Knadle/Nathan Solem, Staff Attorney: Kara Van Bockern)**

On April 27, 2007, TransCanada Keystone Pipeline, LP, (Keystone) filed a siting permit application for the South Dakota portion of the Keystone Pipeline Project (Project). The Project will transport crude oil starting in Hardisty, Alberta, Canada and ending in Patoka, Illinois. The proposed 30 inch diameter pipeline will have a nominal capacity of 435,000 barrels of oil per day (bpd) with a possible expansion to 591,000 bpd. The proposed route will enter South Dakota at the North Dakota/South Dakota border in Marshall County and extend in a southerly direction, exiting the state at the South Dakota/Nebraska border in Yankton County. The length of the pipeline in South Dakota will be approximately 220 miles and it will cross the counties of Marshall, Day, Clark, Beadle, Kingsbury, Miner, Hanson, McCook, Hutchinson and Yankton. The Project also includes four pump stations in South Dakota located in Day, Beadle, Miner and Hutchinson counties along with 15 mainline valves with an average spacing of 15 miles between valves. On May 8,

2007, the Commission voted to assess a filing fee not to exceed \$351,100 with an initial deposit of \$8,000; approved the notification process; and approved locations and times for public hearings.

TODAY, shall the Commission Extend the Intervention Deadline?

Telecommunications

1. **TC06-007 In the Matter of the Petition of Level 3 Communications, LLC for Arbitration of an Interconnection Agreement with Qwest Corporation. (Commission Attorney: Rolayne Ailts Wiest)**

On January 26, 2006, Level 3 Communications, LLC (Level 3) filed a Petition for Arbitration Pursuant to Section 252(b) of the Telecommunications Act of 1996 for Rates, Terms, and Conditions of Interconnection with Qwest Corporation (Qwest). In its Petition, Level 3 requested that the Commission arbitrate certain terms and conditions of a proposed Interconnection Agreement between Level 3 and Qwest. Pursuant to ARSD 20:10:32:30, Qwest may respond to the Petition and provide additional information by February 21, 2006. On May 7, 2007, Level 3 filed a Motion to Withdraw Petition and Terminate Arbitration Proceedings and also filed a Notice of Adoption of Qwest's Statement of Generally Available Terms. The Commission Granted the Motion to Withdraw Petition and Terminate Arbitration Proceedings at its May 22, 2007, meeting.

TODAY, how shall the Commission Proceed Regarding Level 3's Notice of Adoption of Qwest's Statement of Generally Available Terms?

2. **TC07-018 In the Matter of the Application of First Choice Technology, Inc. for a Certificate of Authority to Provide Interexchange Telecommunications Services in South Dakota. (Staff Analysts: Nathan Solem/Harlan Best, Staff Attorney: Karen Cremer)**

On April 4, 2007, First Choice Technology, Inc. filed an application seeking a Certificate of Authority to provide interexchange services throughout South Dakota. The Applicant intends to utilize the underlying facilities of Qwest Corporation and/or Global Crossing.

TODAY, shall the Commission Grant a Certificate of Authority to First Choice Technology, Inc.?

3. **In the Matter of the Request for Certification Regarding the Use of Federal Universal Service Support in Dockets TC07-023, TC07-024, TC07-025, and TC07-028**

TC07-023 In the Matter of the Request of Interstate Telecommunications Cooperative, Inc. for Certification Regarding its Use of Federal Universal Service Support. (Staff Analyst: Harlan Best, Staff Attorney: Karen Cremer)

On May 7, 2007, Interstate Telecommunications Cooperative, Inc. (Interstate) provided information constituting Interstate's plan for the use of its federal universal service support and to otherwise verify that Interstate will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. Section 254.

TC07-024 In the Matter of the Request of Stockholm-Strandburg Telephone Company d/b/a ITC for Certification Regarding its Use of Federal Universal Service Support. (Staff Analyst: Harlan Best, Staff Attorney: Karen Cremer)

On May 7, 2007, Stockholm-Strandburg Telephone Company d/b/a ITC (Stockholm) provided information constituting Stockholm's plan for the use of its federal universal service support and to otherwise verify that Stockholm will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. Section 254.

TC07-025 In the Matter of the Request of SSTELECOM, Inc. d/b/a ITC for Certification Regarding its Use of Federal Universal Service Support. (Staff Analyst: Harlan Best, Staff Attorney: Karen Cremer)

On May 7, 2007, SSTELECOM, Inc. d/b/a ITC (SSTELECOM) provided information constituting SSTELECOM's plan for the use of its federal universal service support and to otherwise verify that SSTELECOM will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. Section 254.

TC07-028 In the Matter of the Request of Kennebec Telephone Company, Inc. for Certification Regarding its Use of Federal Universal Service Support. (Staff Analyst: Harlan Best, Staff Attorney: Karen Cremer)

On May 15, 2007, Kennebec Telephone Company, Inc. (Kennebec) provided information constituting Kennebec's plan for the use of its federal universal service support and to otherwise verify that Kennebec will use all federal universal service support received in a manner that is consistent with the federal universal service provisions of 47 U.S.C. Section 254.

TODAY, shall the Commission Provide a Certification to the Federal Communications Commission and to the Universal Service Administration Company Regarding the Plan for the Use of Federal Universal Services Support as Proposed in Each of the Above Dockets?

4. TC07-027 In the Matter of Filing by South Dakota Network, LLC for Approval of Revisions to its Access Service Tariff. (Staff Analyst: Harlan Best, Staff Attorney: Karen Cremer)

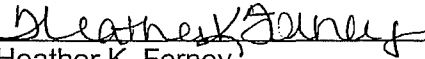
On May 15, 2007, South Dakota Network, LLC (SDN) submitted Access Tariff No. 2 which cancels Access Tariff No. 1. SDN's replacement tariff contains numerous format and textual changes and changes to the nonrecurring charges to more closely reflect current operating costs in Section 8, Additional Engineering, Additional Labor and Miscellaneous Services. No revisions were made to SDN's Centralized Equal Access rates.

TODAY, shall the Commission Grant Intervention to Any Parties that May have Filed? AND, if none, shall the Commission Approve the Tariff Revisions?

Announcements

1. The next regularly scheduled Commission meeting will be held June 26, 2007, at 10:00 a.m. in Room 282, 2205 Career Place, USDSU Campus, Sioux Falls, SD.
2. Commission meetings are scheduled for July 11 and August 7, 2007.
3. An information meeting to discuss wind energy development will be held Wednesday, May 30, 2007, at 7:00 p.m. at the Miller High School Theater, 623 E. Fourth St.

4. Commissioners and staff will be attending the annual Mid-American Regulatory Conference in Minneapolis, MN, June 17 – 22, 2007.
5. A public hearing in docket HP07-001 will be held at 11:00 a.m. Monday, June 25, 2007, at the City Commission Chambers, 416 Walnut, Yankton, SD.
6. A public hearing in docket HP07-001 will be held at 7:00 p.m. Monday, June 25, 2007, at Joe's Café, 1150 Spruce, Alexandria, SD.
7. A public hearing in docket HP07-001 will be held at 7:00 p.m. Tuesday, June 26, 2007, at the Community Center, 120 N. Commercial St., Clark, SD.
8. A public hearing in docket HP07-001 will be held at 12:00 p.m. Wednesday, June 27, 2007, at the Marshall County Community Bldg/Britton Senior Center, 909 South Main, Britton, SD.
9. The PUC offices will be closed on Wednesday, July 4, 2007, in observance of Independence Day.


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May 30, 2007